

TOWN OF NORTH HEMPSTEAD COMMUNITY DEVELOPMENT AGENCY

Minutes of

REGULAR MEETING

February 8, 2012

7:30 PM

Call to Order

The meeting was called to order by Mr. Bailey, the Chairman of the Agency, at 7:51 p.m.

Attendance

Members of the Agency (the “Members”) in attendance were:

Christopher A. Gioia
Jeffrey M. Greilsheimer
Lamont R. Bailey
Howard Weitzman

Members absent were:

Rodney A. Caines

Agency staff present consisted of:

Dermot F. Kelly, Acting Executive Director
Joseph Santamaria, Assistant Director/Project Manager
Patrice P. Allen, Administrative Assistant
Andrew M. Hyman, In-house Counsel

Minutes of Meeting Held on December 20, 2011

Upon the motion of Mr. Gioia, seconded by Mr. Weitzman, the minutes of the meeting held December 20, 2011 were accepted with corrections.

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Acting Executive Director's Report

The Acting Executive Director's Report consisted of the following:

Community Development Block Grant ("CDBG") Program

The ("CDBG") 37th Program Year contract was signed by the Town of North Hempstead (the "Town") Supervisor and routed to Nassau County (the "County"). The Agency has been awarded \$871,660. The County has informed the Agency that the contract has to be approved by Nassau County Interim Finance Authority ("NIFA") before being submitted to the County Comptroller and the County Attorney for final approval.

Operations:

Copies of the chart of accounts balance from the County Office of Community Development ("OCD"), monthly bank statements and the Agency's reconciliation were given to the Members for review.

The Agency's current chart of account balance as per OCD, as of 1/9/2012 is \$2,455,298.47.

Cash Balances:

- Citibank –Lump Sum Account - \$202,307
- State Bank of Long Island - Program Income Account - \$358,402
- Citibank –Escrow Account - \$7,058

New Cassel Urban Renewal Plan

Site A - Bluestone has started the production of its Master Plan to assist with zoning for a traffic study and architectural design as they target market the vacant retail space for prospective tenants. The C.D.A staff and the Town Commissioner of Planning and Environmental Protection, Michael Levine, met with the Developers, the owners of the building, and Saccardi & Schiff to discuss the development of the master plan and the

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remaining 10,540 sq. ft of vacant commercial space restricting parking to 3 hours in front of retail spaces along Prospect Avenue. Saccardi & Schiff are in the process of submitting the plan to the Town Building Department. Once the plan is denied a permit by the Building Department it will be submitted to the Board of Zoning and Appeals.

Paradise Cove Restaurant has received the Board of Zoning and Appeals approval for food use and is in the process of completing its build out. In response to a failed inspection by the Building Department, the Contractor and Restaurant owner are trying to resolve a safety issue.

Site B– The Supermarket - Tony and Eddie’s purchased the condo unit and received approval of the build out plans. The final approvals of the contractors’ insurance documents were received January 2012, per the owners. An inspection of the roof was performed on the building to find that the air shaft was installed too close to the support beams and will have to be moved. The specifications for the air conditioning unit will have to be approved by the Building Department. Once the approvals from the Town Building Department are received the construction will commence. The build out is estimated to be complete by June 2012.

The Bank of New York Mellon (“BONYM”) is marketing the 6,000 sq. ft. of vacant retail space.

Site C- Residential units are all occupied. BONYM is seeking a purchaser for the remaining 3,800 sq. ft. of vacant commercial space.

Site D - No change in this site’s status. Negotiations of the final terms are still in a work out with BONYM for the final terms with the developer and the prospective developer James Vilardi. Mr. Vilardi stated in December that his agreement with the bank should be finalized by December 31, 2011. Outside counsel, Mark Cuthbertson, from the Law Office of Mark A. Cuthbertson, is writing a letter to the BONYM attorney requesting a status report. Mr. Kelly spoke with Mr. Vilardi the second week of February. Mr. Vilardi stated that delays were attributable to commitments to other projects. He anticipates executing the agreement this month.

Mark McFarland the owner of 985 Prospect Ave, is interested in two (2) of the six (6) units to establish a pizzeria. The Agency and Mr. McFarland are still in discussions about the Agency acquiring 985 Prospect.

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Site E – The Redeveloper will soon resolve the issues with LIPA regarding the proximity of the utility poles on Bond and State Streets. CDA staff had a meeting with Conifer on January 9, to discuss the final site plans that will be submitted to the Building Department next week. Site Plans submitted to the Town will be reviewed with the Board at the March meeting.

Site G – Wheatley Nursery, owned by Frank Suppa, located at 542 Union Ave., is on the agenda tonight to review a resolution for a waiver. P & L Development is a business adjacent to this site. This company will contract with the nursery for acquisition of parcels for expanding the area for parking and the building.

Site I – CDA closed on the 336 Rose Place on January 9, 2012. Rent has been sent from the County's Section 8 program, and the Housing Authority's Section 8 program. Agency's staff is currently developing an RFP for ten (10) Town houses. A draft of the RFP was sent to the Board last week and discussion with the Board will take place at the February Meeting.

Site M – 983 Prospect and 985 Prospect (both properties on the acquisition list) The Agency has completed the appraisals on both properties. The owners of both properties had appraisals completed that valued the properties much higher than what the Agency's appraisals revealed. The Agency issued another RFP to have a third appraiser review the appraisals done on 983 and 985 Prospect Ave. When completed the Agency and the owners of the properties will review the appraisals and decide whether to pursue a voluntary purchase, an involuntary purchase, or seek other locations on Prospect Avenue to redevelop.

For Consideration

RESOLUTION NO. 1 (2012)

A RESOLUTION APPROVING BUDGET TRANSFERS FROM THE OTHER OPERATING EXPENDITURE ACCOUNT LINE TO THE SALARY AND WAGES, FRINGE BENEFITS, AND OFFICE SUPPLIES ACCOUNT LINES.

WHEREAS, pursuant to Resolution No. 44 (2010), duly adopted at its meeting held on October 27, 2010, members (the "Members") of the Town of North Hempstead Community Development Agency (the "Agency") adopted and approved a budget for the 2011 fiscal year (the "Budget"); and

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WHEREAS, Agency staff recommends (the “Staff Recommendation”) that the Members adopt and approve modifications to the Budget that transfer funds from the Other Operating Expenditures account line, to the following account lines for the reasons stated below:

- Salary and Wages, to cover the payout of accumulated leave to a retiring employee;
- Fringe Benefits, to cover related expenses for a retiring employee and an increase in health and retirement expenses; and
- Supplies and Materials, to cover costs related to office renovations due the Town of North Hempstead to accommodate occupancy by the Town’s Code Enforcement Division of the Department of Public Safety; and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Weitzman, seconded by Mr. Greilsheimer the resolution was unanimously adopted.

RESOLUTION NO. 2 (2012)

A RESOLUTION AMENDING THE AGENCY’S CAPITALIZATION POLICY.

WHEREAS, the Town of North Hempstead Community Development Agency (the “Agency”) has a capitalization policy with a threshold of \$500 (the “Policy”); and

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WHEREAS, Agency staff recommends that the Members amend the Policy by increasing the threshold to \$2,500, the same threshold as the industry standard, and the same threshold as is used by the Town of North Hempstead (the “Staff Recommendation”); and

WHEREAS, the Members wish to authorize and adopt the Staff Recommendation.

NOW THEREFORE, BE IT

RESOLVED, that the Members hereby authorize and adopt the Staff Recommendation; and be it further

RESOLVED, that the Executive Director of the Agency and any officer thereof are hereby authorized to execute such instruments and documents and to take such other action as may be necessary to carry out the foregoing.

Upon the motion of Mr. Weitzman, seconded by Mr. Gioia the resolution was unanimously adopted.

Resolution No. 3 (2012) – A Resolution Adopting an Amended Internal Control Manual –
Upon the motion of Mr. Gioia, duly seconded by Mr. Bailey, the Members unanimously agreed to table consideration of this resolution and requested a red-lined copy of the Manual showing changes from the currently approved draft. The Members also gave Agency staff permission to use the proposed Manual as a draft for purposes of the audit.

Adjournment

Upon a motion by Mr. Greilsheimer, the members of the Agency, by unanimous vote, adjourned the meeting at 8:36 p.m.